

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

October 1, 1980

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, October 1, 1980 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - McCarty, Murphy,
Pinkerton, and
Katnich (Mayor)

Absent: Councilmen - Hughes

Also

Present: City Manager Graves, Assistant
City Manager Glenn, Public Works
Director Ronsko, Community Develop-
ment Director Schroeder, City
Attorney Stein and City Clerk
Reimche

INVOCATION

Reverend Norma Roberts, Christian Church,
gave the invocation

PLEDGE

The Pledge of Allegiance to the flag was
led by Mayor Katnich.

PROCLAMATIONS

Mayor Katnich presented the following
proclamations:

- a) Proclamation proclaiming October 5 - 11,
1980 as "National Employ the Handicapped
Week"
- b) Proclamation proclaiming October 11, 1980
as "Field and Fair Day"

PUBLIC HEARINGS

APPEAL OF WM. E. RUFF
OF PLANNING
COMMISSION'S DENIAL
OF HIS REQUEST FOR A
VARIANCE TO PERMIT
CONSTRUCTION OF A
FOUR-PLEX AT 1324 S.
HUTCHINS STREET

Notice thereof having been published in accordance
with law and affidavit of publication being
on file in the office of the City Clerk, Mayor
Katnich called for the Public Hearing to consider
the appeal of Mr. William E. Ruff, P. O.
Box 14, Lodi, of the Planning Commission's
denial of his request for a variance to permit
the construction of a four-plex at 1324 S.
Hutchins Street, Lodi.

It was determined that Mr. Ruff was not in the
audience even though he had been sent a notice
of the time and place for this Public Hearing.
Following discussion Councilman Pinkerton moved
that the Public Hearing be cancelled. The
motion was seconded by Councilman Murphy,
but failed to carry by the following vote:

Ayes: Councilmen - Murphy and Pinkerton

Noes: Councilmen - McCarty and Katnich

Mayor Katnich then directed that the subject
Public Hearing be continued to 8:00 p.m. at
the regular Council meeting of October 15,
1980.

P-D 15 AMENDED TO
PERMIT CONSTRUCTION
OF RESTAURANTS IN
THE OFFICE-PROFES-
SIONAL AREA

Notice thereof having been published in accordance
with law and affidavit of publication being
on file in the office of the City Clerk,
Mayor Katnich called for the Public Hearing to

Continued October 1, 1980

AT THE S/E
CORNER OF W.
KETTLEMAN AND
S. FAIRMONT AND
THE S/E CORNER
OF HAM AND W.
KETTLEMAN LANE

ORD. NO. 1214
INTRODUCED

consider the City Planning Commission's recommended approval of the request of Genie Development, Inc., to amend P-D (15), Planned Development District No. 15, to permit construction of restaurants in the Office-Professional area at the southwest corner of West Kettleman Lane and South Fairmont Avenue and the southeast corner of South Ham Lane and West Kettleman Lane with conditions:

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area for Council's perusal.

Mr. Schroeder further apprised the Council that the Planning Commission's recommendation included the following conditions:

1. that the design of the proposed restaurants not be in conflict with the Stockton Savings and Loan Building (i.e. the former Stanlee Beckman home); and
2. that the restaurants be dinner houses rather than fast food outlets

Speaking on behalf of the proposed amendment was Mr. Greg Myers, 600 Marcella Court, Lodi, representing Genie Development, Inc.

There were no other persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

Following discussion, with questions being directed to Staff and to Mr. Myers, Mayor Pro Tempore McCarty moved for introduction of Ordinance No. 1214 amending P-D (15), Planned Development District 15 to permit construction of restaurants, as well as offices, in the Office-Professional area at the southwest corner of West Kettleman Lane and South Fairmont Avenue and the southeast corner of South Ham Lane and West Kettleman Lane, Lodi, with the following conditions:

1. that the design of the proposed restaurants not be in conflict with the Stockton Savings and Loan Building (i.e. the former Stanlee Beckman Home) and
2. that the restaurants be dinner houses that may include cocktail lounges and shall not be fast food outlets.

The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

DECLARATION OF
IMPACTION LODI UNIFIED
SCHOOL DISTRICT

RES. NO. 80-127

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katnich called for the Public Hearing to receive public input on the notification which had been received from the Lodi Unified School District declaring a state of impaction in nineteen attendance areas.

Continued October 1, 1980

The matter was introduced by City Manager Graves. Mr. Graves gave a brief synopsis of Ordinance No. 1149 entitled, "An Ordinance of the City of Lodi to Provide for the Dedication of Land or Fees or Both as Condition to the Approval of New Residential Developments, for the Purpose of Providing Classroom Facilities Where Conditions of Overcrowding Exist in a Public School Attendance Area", which was adopted by the Lodi City Council on August 2, 1978.

The Declaration of Impaction dated July 22, 1980, as received from the Lodi Unified School District, was then reviewed by the City Council.

The following persons spoke on the subject:

a) Mr. Constantine I. Baranoff, Administrative Director of Facilities and Planning, Lodi Unified School District

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

A lengthy Council discussion followed with questions being directed to Staff and to Mr. Baranoff.

On motion of Mayor Pro Tempore McCarty, Katnich second, Council adopted Resolution No. 80-127 concurring with the Lodi Unified School District's declaration of a state of impaction in nineteen attendance areas. The motion carried by unanimous vote.

PLANNING COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of September 22, 1980:

The Planning Commission -

ITEMS OF INTEREST

1. Denied the appeal of Philip A. Clasen, c/o Gotrocks and Ready Mix, of an administrative determination by the Community Development Department which allowed U.S. Rentals to manufacture concrete as an accessory use at 210 West Kettleman Lane in an area zoned C-M, Commercial-Light Industrial.
2. Certified the filing of Negative Declaration ND-80-11 for Salas Park (Basin D) at the southwest corner of South Stockton Street and East Century Boulevard.
3. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Consulting Engineers on behalf of Gene Larkin, et al, for the Revised Tentative Subdivision Map of Burgundy Village, a 32-lot, single-family project proposed along the westerly extension of Elgin and Valley Avenues in an area rezoned R-2, Single-Family Residential.

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4. Certified the filing of Negative Declaration ND-80-12 for Burgundy Village Subdivision.

5. Conditionally approved the request of Leonard J. Williams for a Use Permit to construct mini-warehouse and recreational vehicle storage buildings at 645 Hale Road in an area zoned C-2, General Commercial.

6. Determined that a Zoning Hardship did not exist and denied the request of Ed Beoshanz for a Variance to permit a 6 foot fence in the required front yard area at 601 North Pleasant Avenue in an area zoned R-GA, Garden Apartment Residential.

7. Determined that the need for noise and visual screening from future industrial development constituted a Zoning Hardship and approved the request of Homer Beldt for a Zoning Variance to increase the maximum fence height from 6 feet to 8 feet along the boundaries of the Case de Lodi Mobilehome Park which abut areas zoned C-M, Commercial-Light Industrial or M-2, Heavy Industrial.

8. Determined that a Zoning Hardship did not exist and denied the request of Sign Design, Inc., on behalf of Lodi Racquetball and Swim Club for a Zoning Variance to increase the maximum allowable sign area from 48 square feet to 206 square feet at 1900 South Hutchins Street in an area zoned R-MD, Medium Density Multiple Residential.

9. Approved the request of Carol Squires to establish antique stores as a permitted use in the C-1, Neighborhood Commercial District.

COMMUNICATIONS

APPEAL RE
ADMINISTRATIVE
DETERMINATION BY
COMMUNITY DEVELOPMENT
DEPARTMENT

City Clerk Reimche presented a letter which had been received from Mr. Phillip A. Clasen, c/o Gotrocks and Ready Mix, 540 S. Sacramento Street, Lodi, CA, appealing the Lodi City Planning Commission's denial of an administrative determination by the Community Development Department which allowed U.S. Rentals to manufacture concrete as an accessory use at 210 West Kettleman Lane (i.e. San Joaquin Assessor Parcel No. 057-160-49) in an area zoned C-M, Commercial-Light Industrial. On motion of Councilman Pinkerton, Murphy second, the matter was set for Public Hearing on November 5, 1980 at 8:00 p.m.

CLAIMS

City Clerk Reimche apprised the Council that it is recommended by the City's Contract Administrator and the City Attorney, that the City Council deny the following claims:

a) Pacific Coast Producers - Date of Loss August 5, 1980

Continued October 1, 1980

b) Estate of Robert Van Steenberge - Date of Loss February 19, 1980

c) Robert Forgue - Date of Loss March 22, 1980

and further that the Council reject the Claim filed on behalf of Dean Wagerman, as the Claim was submitted to the City 108 days after the date of the accident.

On motion of Councilman Pinkerton, Murphy second, Council denied Claims filed by Pacific Coast Producers, Estate of Robert Van Steenberge, and Robert Forgue and rejected the Claim filed on behalf of Dean Wagerman.

ABC LICENSE

City Clerk Reimche presented the following application for Alcoholic Beverage License:

James Crosby and David Senif, Mt. Mike's Pizza, 1030 Hutchins Street, Lodi - On Sale Beer and Wine Eating Place.

PUC APPLICATION

City Clerk Reimche advised the Council that a notice had been received from P.G. & E. amending application before the PUC (Application No. 59902). The proposed increase for the Residential Class was inadvertently omitted. The table as corrected was presented for Council's perusal.

PROPOSAL TO HUD FOR HOUSING FOR ELDERLY AND HANDICAPPED NOT SUCCESSFUL

The City Clerk advised Council that notification had been received from HUD and the LOEL Foundation advising that the LOEL Foundation's proposal to supply housing in Lodi for the elderly and handicapped was not successful.

CLIC COMMITTEE RECOMMENDATIONS

City Clerk Reimche presented a letter received from Walter Sanborn, Chairman of the Central Lodi Improvement Committee recommending that the Lodi City Council engage the following towards the implementing of the development of the Central Lodi business area:

a) Engineer for project - Quad Consultants of Visalia

b) Bond Counsel - Blewett, Garretson and Hachman, Inc., Stockton

c) Investment Securities - Wulff, Hansen and Company, San Francisco - John Talbot, Vice President

Council discussion followed with Council directing that the matter be set for Informal Informational meeting discussion in the near future.

INFORMATION RE INCREASED SEISMIC ACTIVITY IN CALIFORNIA

Mayor Katnich presented a letter that he had received from Governor Edmund G. Brown, Jr., in which both the Governor and President Carter have jointly released information which clearly underscores their shared concern with the near-term possibility of a great earthquake in California.

STOCKTON CITY COUNCIL OPPOSES RATE INCREASE REQUESTED IN APPLICATION NO. 59902

Mayor Katnich presented a letter that he had received from Daniel A. O'Brien advising that the Stockton City Council on

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September 8, 1980 approved a motion to oppose the electrical and gas rate increase requested in P.G. & E. Application No. 59902. The Stockton City Council further directed that a letter be sent to every City Council and Board of Supervisors in the State that is affected by the P.G. & E. rate increase requesting they also take action to oppose the rate increase.

COMMENTS BY
CITY COUNCILMEN

No comments were put forth by the Council under this agenda item.

REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Murphy second, were approved by Council.

CLAIMS 10-27

CLAIMS WERE APPROVED IN THE AMOUNT OF \$740,446.65.

MINUTES

THE MINUTES OF SEPTEMBER 3, 1980 WERE APPROVED AS WRITTEN.

AWARD - CATCH BASIN
REPLACEMENT 10-27

City Manager Graves presented the bids which had been received for "Catch Basin Replacement, Washington Street and Pine Street, Washington Street and Locust Street, Pleasant Avenue and Chestnut Street, and Pleasant Avenue N/Sierra Vista Place" as follows:

RES. NO. 80-128

BIDDER

BID

1. Teichert Construction	\$24,133.60
2. Pacific Asphalt, Inc.	\$29,797.34
3. Case Construction Co., Inc.	\$32,618.20
4. Claude C. Wood Co.	\$33,346.35
5. H. Max Lee, Inc.	\$33,877.00
6. Granite Construction Co.	\$38,976.00

Following recommendation of the City Manager, Council adopted the following Resolution:

RESOLUTION NO. 80-128

RESOLUTION AWARDDING THE BID FOR "CATCH BASIN REPLACEMENT, WASHINGTON STREET AND PINE STREET, WASHINGTON STREET AND LOCUST STREET, PLEASANT AVENUE AND CHESTNUT STREET, AND PLEASANT AVENUE N/SIERRA VISTA PLACE" TO TEICHERT CONSTRUCTION, THE LOW BIDDER, IN THE AMOUNT OF \$24,133.60.

City Manager Graves presented the following bids which had been received for Municipal Service Center Phase III Underground":

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BIDDER	BID
1. C. C. Wood Co.	\$19,655.00
2. E.S.P.	\$20,823.00
3. Moody Construction	\$22,811.00
4. Warren Construction	\$23,044.00
5. Brown Sheet Metal	\$23,399.00
6. Valley Mechanical, Inc.	\$23,603.00
7. Wayne Fregien	\$24,818.48
8. Granite Construction Co.	\$25,361.00
9. Crutchfield Construction	\$25,484.00
10. Teichert Construction	\$25,590.10

AWARD MUNICIPAL
SERVICE CENTER PHASE
III UNDERGROUND

Following recommendation of City Manager
Glaves, Council adopted the following
Resolution:

RES. NO. 80-129

RESOLUTION NO. 80-129

RESOLUTION AWARDING THE CONTRACT FOR "MUNI-
CIPAL SERVICE CENTER PHASE III UNDERGROUND"
TO C. C. WOOD COMPANY, THE LOW BIDDER, IN
THE AMOUNT OF \$19,655.00

AWARD- SMOKE & HEAT
ALARM SYSTEM - PUBLIC
SAFETY BUILDING

Bids which had been received for the Smoke and
Heat Alarm System for the Public Safety
Building were presented as follows:

RES. NO. 80-130

BIDDERBID

1. Allen's Security Systems	\$6,837.69
2. Mid-Valley Electric	\$6,953.00

Following recommendation of City Manager
Glaves, Council adopted the following
Resolution:

RESOLUTION NO. 80-130

RESOLUTION AWARDING THE CONTRACT FOR
"SMOKE AND HEAT ALARM SYSTEM" TO ALLEN'S
SECURITY SYSTEMS, INC., IN THE AMOUNT OF
\$6,837.69.

AWARD - UTILITY
SERVICE TRUCKS

Utility Service Truck bids which had been
received were presented to Council as follows:

RES. NO. 80-131

Supplier - Geweke Ford, Lodi

<u>UD-E80-3</u>	<u>UD-E80-4</u>	<u>UD-E80-5</u>
	1 ton truck with transfer	
1/2 ton truck with body	of body Alternate #1	1 ton truck with body
\$9,095.32*	\$10,622.74**	\$12,844.24

Supplier - Sanborn Chevrolet, Lodi

<u>UD-E80-3</u>	<u>UD-E80-4</u>	<u>UD-E80-5</u>
	1 ton truck with transfer	
1/2 ton truck with body	of body Alternate #1	1 ton truck with body
No Bid	\$9,349.17***	\$11,724.66

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- * Includes \$500 for trade-in of Truck #21
- ** Includes \$1,400 for trade-in of Truck #27
- *** Includes \$1,510 for trade-in of Truck #27

Following recommendation of the City Manager,
Council adopted the following Resolution:

RESOLUTION NO. 80-131

RESOLUTION AWARDING THE CONTRACT FOR THREE
UTILITY SERVICE TRUCKS AS FOLLOWS:

UD-E80-3 Geweke Ford \$ 9,095.32 sole bidder
UD-E80-4 Sanborn Chevrolet \$ 9,349.17 low bidder
UD-E80-5 Sanborn Chevrolet \$11,724.66 low bidder

SPECS FOR PURCHASE
OF 15 KV XLP CABLE
APPROVED

COUNCIL APPROVED THE SPECIFICATIONS FOR THE
PURCHASE OF 24,000 FEET OF #2 ALUMINUM,
15,000 FEET OF #2/o ALUMINUM AND 15,000 FEET
OF 750 MCM ALUMINUM HIGH VOLTAGE XLP CABLE
AND AUTHORIZED THE PURCHASING AGENT TO
ADVERTISE FOR BIDS THEREON.

SPECS FOR PURCHASE
OF THREE-PHASE
PADMOUNTED TRANSFORMER
APPROVED

COUNCIL APPROVED THE SPECIFICATIONS FOR THE
PURCHASE OF ONE 750 KVA, 3-PHASE PADMOUNTED
TRANSFORMER AND AUTHORIZED THE PURCHASING
AGENT TO ADVERTISE FOR BIDS THEREON.

ITEMS REMOVED
FROM AGENDA

With the tacit concurrence of the City
Council, the following items were removed
from the Agenda:

- 1) "Approve specifications for Street
Department Roller"
- 2) "Establish four-way stop sign at Pine
and Stockton Street"
- 3) "Award - Pump and Motor Well #19"

"NO PARKING"
ZONES APPROVED -
KETTLEMAN LANE

RES. NO. 80-132

Council was apprised that a request had
been received from Mervyn's to establish
"No Parking" zones on the south side of
Kettleman Lane between Fairmont Avenue
and Hutchins Street to prevent accidents.
It was noted that the manager of Fry's has
also concurred with the request.

Following recommendation of the City Manager,
Council adopted the following Resolution:

RESOLUTION NO. 80-132

RESOLUTION ESTABLISHING THREE "NO PARKING"
ZONES ON THE SOUTH SIDE OF KETTLEMAN LANE
BETWEEN FAIRMONT AVENUE AND HUTCHINS STREET

MSC
PROPERTY

Agenda item "m" - "Request of William Graffigna
to purchase parcel owned by City adjacent
to Flame Liquor, 1301 W. Kettleman Lane,
Lodi" was introduced by City Manager
Glaves. The master plan for the Municipal
Service Center property was reviewed at
length. Discussion followed with questions
being directed to Staff.

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On motion of Councilman Pinkerton, McCarty second, Council directed Staff to advertise for bids, the sale of approximately 13,300 square feet of city-owned property located adjacent to Flame Liquor, 1301 W. Kettleman Lane, Lodi; however, reserving the right to reject any and all bids.

Council directed that the Informal Informational meeting of October 7, 1980 be held at the Municipal Service Center to allow Council the opportunity to tour the site.

AGREEMENT WITH BANK OF AMERICA NATIONAL TRUST & SAVINGS FOR SPECIAL RESIDENTIAL REAL ESTATE LENDING PROGRAM

A proposed Agreement with the Bank of America National Trust and Savings Association for a special residential real estate lending program was presented for Council's approval. Patty Nicolini, Loan Officer for the Bank of America, addressed the Council regarding the matter and responded to questions as were posed by Council.

RES. NO. 80-133

Following discussion, with questions being directed to Staff and to Ms. Nicolini, Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 80-133 approving an Agreement with the Bank of America National Trust and Savings Association for a special residential real estate lending program and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

The motion carried by the following vote:

Ayes: Councilmen - Murphy, Pinkerton, and Katnich

Noes: Councilmen - McCarty

Absent: Councilmen - Hughes

APPROVE AGREEMENT WITH MEDLIN RE OFF-SITE IMPROVEMENTS

Public Works Director Ronsko informed the Council that in 1975, Mr. William Howard Medlen submitted a parcel map to the City Of Lodi showing a split of his parcel located on the southeast corner of Victor Road and Cluff Avenue. As part of the condition for this lot split, Mr. Medlen was required to guarantee and bond for the cost of the off-site improvement. Mr. Medlen has recently requested that the City modify the previous agreement in order that he can eliminate the yearly payment on the bond covering the required off-site improvements. A proposed Agreement conforming to Mr. Medlen's request and containing wording similar to that which the City is now using on other such guarantees on off-site improvements where the City is not requiring improvements immediately was attached for Council's perusal. This agreement allows for the City to call for the improvements at any time, and in any case, the improvements will be installed within a minimum of 3 years.

Continued October 1, 1980

Presently Lodi Door and Metal is expanding their facility and are being required to install off-site improvements on Victor Road and Cluff Avenue. Due to the future EDA storm drain project in Cluff Avenue, the City has requested that the improvement on Cluff Avenue be postponed until completion of the storm drainage project. They will be installing improvements on Victor Road, and Staff has asked Mr. Medlen to install his committed improvements on Victor Road at this time in conjunction with this work.

The cost of Mr. Medlen's improvements on Victor Road amounts to approximately \$8,400.00. Mr. Medlen has indicated that he cannot raise the \$8,400.00 at this time, but does agree that his improvements on Victor Road should be installed in conjunction with improvements by Lodi Door and Metal. He therefore requests that the City Council consider fronting him the money for these street improvements and states he will:

1. immediately pay the City \$2,500;
2. Pay the City an additional \$1,500 December 1, 1980
3. The other \$4,400.00 would be paid to the City within a six month to one year period

Mr. Medlen is aware that the remainder of his improvements on Cluff Avenue will be called for at the completion of the Cluff Avenue storm drain project, and it is his intention at this time to do those improvements in conjunction with the Lodi Door and Metal off-site improvements on Cluff Avenue.

A lengthy Council discussion followed with questions being directed to Staff regarding the matter.

It was proposed that all property owners in the subject area be contacted as to whether or not they would be interested in the formation of an assessment district.

Following additional discussion, on motion of Councilman Pinkerton, Katnich second, Council approved the proposed Agreement between the City of Lodi and William Howard Medlen regarding the installation of off-site improvements on Victor Road costing approximately \$8,400.00 and authorized the City Manager and City Clerk to execute the Agreement on behalf of the City. Pursuant to this Agreement the City will front the money for the subject street improvements and Mr. Medlen agrees to:

1. immediately pay the City \$2,500.00
2. Pay the City an additional \$1,500 December 1, 1980

Continued October 1, 1980

3. Agrees to pay the City within a six-month to one year period, the remaining \$4,400.00.

The motion carried by the following vote:

Ayes: Councilmen - Murphy, Pinkerton, and Katnich

Noes: Councilmen - McCarty

Absent: Councilmen - Hughes

AWARD - SALAS PARK
IMPROVEMENTS
INTERIOR DRAINAGE

RES. NO. 80-134

City Manager Graves presented the following bids which had been received for the contract for Salas Park Improvements Interior Drainage:

<u>BIDDER</u>	<u>BID</u>
Granite Construction Co.	\$26,593.00
C. C. Wood Company	\$30,475.75
Wayne Fregien	\$31,046.00
W. M. Lyles	\$32,409.00
D. A. Parrish & Sons	\$32,703.63
K. & K. Engineering	\$35,242.00
Warren Construction	\$40,760.50
Teichert Construction	\$41,598.10

Following Council discussion and recommendation of City Manager Graves, on motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 80-134 awarding the contract for "Salas Park Improvements, Interior Drainage" to Granite Construction Company, the low bidder, in the amount of \$26,593.00.

AGREEMENT APPROVED
WITH F. F. SMITH &
CO., INC., FOR LEAF
FALL REMOVAL

Following introduction of the matter by City Attorney Stein, Council on motion of Councilman Pinkerton, McCarty second, approved Agreement with F. F. Smith and Company, Inc., for leaf fall removal and authorized the City Manager and City Clerk to execute the Agreement on behalf of the City.

ADJOURNMENT

There being no further business to come before the Council, Mayor Katnich adjourned the meeting at approximately 10:00 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
CITY CLERK